

Federal Defenders OF NEW YORK, INC.

Southern District
81 Main Street Suite 300
White Plains, N.Y. 10601
Tel: (914) 428-7124 Fax: (914) 997-6872

David E. Patton
*Executive Director
and Attorney-in-Chief*

Susanne Brody
*Attorney-in-Charge
White Plains*

October 13, 2020

BY ECF

The Honorable Nelson S. Roman
United States District Court Judge
Southern District of New York
300 Quaroppas Street
White Plains, New York 10601

Defendant's request to adjourn the sentencing until Oct. 21, 2020 is granted without objection by the Government. Clerk of Court requested to terminate the motion (doc 306). Dated: Oct. 20, 2020

SO ORDERED:

HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE

REQUEST TO BE FILED UNDER SEAL

Re: United States v. Rocco Cermele
16 Cr. 786-04 (NSR)

Dear Judge Roman:

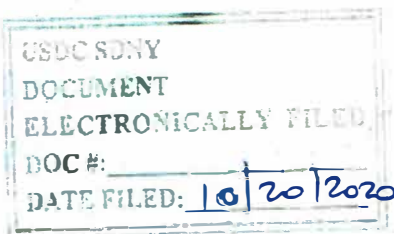
This letter is to request an adjournment of Mr. Cermele's sentencing to October 21, 2020, at 11:00 a.m. The Government filed a motion pursuant to U.S.S.G. 5K.1.1 on September 30, 2020. We request an opportunity to review the motion, and submit a sentencing letter to the Court. The government does not object to this request. Additionally, probation has recommended a sentence of time served. Mr Cermele has various health conditions that would prohibit his physical appearance in court at this time. As noted in his Pre-sentence Report paragraphs 66-68, he suffers from hyper tension, high cholesterol, is grossly over weight and suffered a stroke in 2018. Therefore, we are requesting that his sentencing be conducted by video conference. His medical conditions would qualify as "extra ordinary" circumstances under the CARES Act. Should the Court require a formal CARES petition we will, of course, follow the Court's directive. We thank the Court in advance for your kind consideration.

Respectfully submitted,

/s/

Susanne Brody

cc: James McMahon, AUSA
David Felton AUSA
James S. Mullen, USPO
Mr. Rocco Cermele



MEMO ENDORSED